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CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
Plaintiff,

vs.

David Ray Rawls,

Defendant.

Case No.: 17-04336PO-PCT-CRP

A SUMMARY INDEX  
FOR THE COURT AND FOR  
AMERICA GIVING THE  
REASON(S) AS TO HOW  
AND WHY PLAINTIFF  
U.S. FOREST SERVICE  
SHOULD BE ON TRIAL  
HERE, NOT DR. RAWLS

D.R. Rawls, for America, himself, the Constitution,  
fair play, the Constitution, and American Justice, AVERs:  
Plaintiff U.S. Forest Service [and the Interior Department]  
The villain(s)/robber(s) here do not always succeed via  
their treacherous, wily schemes: Mamie Vaughn (Wyoming)  
with perceptive attorneys exposed Interior's [and the  
U.S.F.S.'s] false standard. 56 IBLA 248 (1980). Verrue  
457 F.2d 1202 (1972), NO SALES! Kenneth McClarty  
by the 9th Circuit also; no cite. Doria v. Morton (1979)  
608 F.2d 1255. Melton E. Baker, 613 F.2d 224, 229.  
U.S. v. Anderson, 74 ID 292 (1967) one year ahead of our  
Rawls case. Rogers v. Watt, 726 F.2d 1376 (1984) at 1379.  
U.S. v. Shumway, 199 F.3d 1093 (1999). The 42nd America  
Flag I let wave free on my Blue Jay stayed up; U.S.F.S. lost!

1 The U.S. Forest Service Law enforcement officer,  
2 G. Parker, had the first three America Flag  
3 which <sup>Parker,</sup> he gave back to me ~~folded~~ properly. I  
4 later said to him, "I might as well take down  
5 the [4th] flag, because you will anyway?"  
6 With no hesitation he responded, "Leave it up."  
7 For lack of U.S. Forest Service permission (permit)  
8 they took down the first three flags. Some  
9 things or activities do not have to have the  
10 Government's permission (permit or license).  
11 (The America - this is America - flag needs to  
12 get permission to wave FREE / fly in America?)  
13 I had put up flag #4 one or two hours earlier.  
14 If I do not do my annual \$100. of work on  
15 Blue Jay property, which I have the Right to do  
16 by statutory Mining Law that might be construed  
17 (misconstrued) as walking away / as a bandowment.  
18 I was there of necessity that day, August 4, 2016.  
19 The U.S.F.S. in effect locked me out of the quarry  
20 area by their large reclamation band demand  
21 of about \$50,000 that I could <sup>band</sup> not meet / too  
22 poor because of them! Now. When I could do  
23 quarrying I was able to give \$21,700. + in 2004  
24 to charities, ministries, as tithes. And over  
25 \$22,000. in 2005. I CANNOT / UNABLE now to  
26 do that. Thanks to too much power / government.  
27 And they bulldozed in / filled in all of our  
28 flagstone quarries except Blue Jay. I was able  
to STOP that just before they wanted to do that.  
The order was even given. They wanted to do  
GREAT damages to Blue Jay, millions of dollars.

-3-

Plaintiff U.S. Forest Service makes out like I  
 could get the permit (permission) from them.  
 [They are masters at creating Catch 22's!]. I,  
 in order to get them to give me a permit, (I)  
 would have FIRST had to sign up for one of  
 their quarry use permit leases for "Blue Jay".  
 However it would thereafter no longer be  
 my Blue Jay but only a use permit (permission)  
 lease. In the early 1960s, by the way,  
 it was 10¢ (ten cents a ton) with no tenure  
 rights, but is now eight (8) dollars or more.  
 I understand - Flagstone sellers, I hear, on the  
 West Coast from India (China?) cheaper than the  
 Arizona flagstone. Eight dollars or so makes it very  
 hard if not impossible to sell Arizona flagstone there.  
 That money is much better used/given to try  
 to help people in desperate need. I know much  
 about desperate need - I have been there.  
 All I need here is a neutral, impartial,  
 honest, disinterested (not stacked) Jury and  
 the opportunity to convince it/them beyond  
any doubt that justice and statutory Law by  
 Congress has been for a long time, and still is  
 being subverted deliberately AND MALICIOUSLY.  
 I read [so many] of the/their decisions that I  
 know as fact - no guessing whatsoever.  
 Several months ago I was suddenly, unnecessarily, and  
very gainfully BRUTALIZED on Blue Jay by U.S.F.S./  
 by a woman / Rudnicki. She plunged me down 360°  
 and tried to tear my right arm off. Begging her  
 (above me) to stop, she wrenched it even more.

END OF COVER PAGE (3)

I

# INDEX of WHY

The two land agencies are villains, not Rawls

A. Address court and also say who I am.

1. Including: The survivor of 60 years.

2. This WAR I am a survivor of 60 years — only 60 years — has been cleverly, most-cleverly, concealed and disguised as being merely "good" government, but anything but good, honest govt. — No less than an intentional war — not at all politics as usual or at all what <sup>is</sup> America and fair <sup>play</sup> called good and civil and honest. Anything but honest and good! Anything but truly American!!

3. It took me, David Rawls, more than 20 years to understand/comprehend the full nature or character of defendants activities against many victims. The foot of many victims helped it as war.

the plaintiff's

4. Who I am includes one discover what was done to or rather against me.

And against an unknown number of others (many) in mining, ranching, logging and the communities dependant on them.

5. I suffered virtual impoverishment to a poor, much too poor position in my life — WHAT SHOULD HAVE BEEN MY LIFE.

5. The severe, heart-stopping heart attack

tiny

I suffered: while in this court is only part of it, a small part of the damages.

II

5. (continued)

When I had the severe heart attack in U.S. District Court Magistrate Court the time I appeared before Magistrate Bridget Bado, it was after about 58½ years of having my property rights — not mere privileges — taken from me via no Respect for us, the Rawls Family, or Marion D. Rawls, Edith Rawls, and myself, that they carried out by lies; half truths; changing the statutory law themselves by creating anti-law RULES as Law; by enforcing as Law in their Executive Branch Star Chamber courts their Rules to thereby deprive <sup>the</sup> Rawls and numerous others of the statutory Law's protections of their rights, properties, lives, well-being, wealth, time, and also the victims' future. The approximately <sup>one hour</sup> my heart stopped with 45 minutes of a MIRACLE by the Good Lord and a young man's chest compressions — two broken ribs also — it was actually part of the destruction we have suffered and have had to endure, only a tiny part of it.

6. This whole outrage is a vast insult to America! Not to Rawls only. One would of expected such maltreatment in Nazi Germany, the Soviet Union, and NEVER IN AMERICA!!!

7. "Death by many bites," because it is the U.S.F.S. and Interior Department wicked

### III

Method or strategy for replacing the one and only America with an Old World managerial power system. The failed Soviet Union was short on Liberty and managerial against individual Freedom. Because <sup>na</sup> managerial is Top-Down rather than from the American way, from the BOTTOM up, with the TOP limited and also under control. It turned out we were one of their many victims in their nasty WAR against individual Liberty, Freedom, Selfhood, Individual initiative and motivation; civility; fair play; and honesty.

Because of their longrange, wicked attacks or longrange war against us, top statement or notion that the U.S. Forest Service is quote, "These violations are Class B misdemeanors, 36 C.F.R. § 261.1b. THE GOVERNMENT IS ONLY SEEKING a monetary penalty (i.e., a fine)." At page 2 of Document ~~11~~ 11, ~~that and~~ United States' AGREED MOTION TO CONTINUE THE STATUS HEARING (filed 3/13/18).

Nothing could further from the truth that the U.S. Forest Service ONLY SEEKS <sup>here</sup> a monetary fine. Beginning more than <sup>here</sup> 60 years ago, this <sup>is only</sup> one of a lot of bites, is merely or only part of a / their longrange subversions aimed against AMERICA!!!

IV

The U.S. Forest Service and its kissing cousin or fellow conspirator in shutting Down America in favor of their hidden goal did a very successful job of trampling Down American Dream and our Lives. Now

Not to worry if you are believing the bureaucracies would never do wicked activity like running roughshod all over us all others. Because they, the U.S. Forest Service and Santa Fe R.R. greatly benefitted from that. They prevailed by POWER, but ~~not~~ were not truly winners in the Routs case.

Lies to us, empty promises to us, secret authorization to Santa Fe to trespass by both agencies, taking away our JURY RIGHT, several other lies as frauds, and having their own Executive Branch court

system that are Star Chambers! was perfect for doing in the Routs Family. And twenty (20) years stolen from our lives also. The power systems, HOWEVER, got nothing by stealing from us, impoverishing us, NOT even an apology!!! They got off Scot free in the name of United States of AMERICA. Trampling on America is their area of expertise and specialty!!!



V  
8. The Good Lord has an interest Himself  
in this ungodly and never-ending  
matter. I know that by 60 years of  
my standing up for America against  
those who ignorantly have contempt  
for what set this <sup>country</sup> country apart as  
a very SPECIAL, <sup>diverse</sup> DIVERSE, GREATLY  
BLESSED people and country. One of  
a kind, I would say!

HAD ~~HAS HAVE~~ TO take action - Take a stand  
itself to put a stop to valid, valuable,  
lawful building stone properties often  
called "mining claims" from being taken  
away from them by the Land Department  
(now called the U.S. Department of the Interior)  
wrongfully because hostile to those  
lawful Mining Law properties. SO  
CONGRESS HAD TO ENACT THE Building  
Stone Act in 1892 - Even that has not  
stopped Interior, and the Forest Service  
from in effect deliberately stealing  
other people's properties - just as  
they stole by frauds our very valuable  
(give) lawful Building Stone Act properties.  
I know the two "kissing cousins" evil  
agencies have continued to gut people  
off their lawful, valuable properties  
because these Interior's Star Chamber rulings!



VI

A brief history or mention of the Land Department's trampling of Mining Claims and people's building stone deposits, Rights, and quarries is found as footnote 6, page 198, of Alfred E. Coleman vs. United States (1966), cited as 363 F.2d 190, by the 9th Circuit Appeals Court. Also can be found as page 185, Appendix M, of my first book, America; The Art of Government; Honesty; Power; Civility; And War Against America From Within; 222 pages. A large format paperback book with 20 pages of color pictures. SEE the last paragraph of footnote SIX, please

Of the many Interior Department rulings ~~vis-à-vis~~ on building stone claims during the time such activity was intense or at very likely a peak; rulings I read in the 1960s, and 1970s, almost all, well over 90 percent, were basic against the Claimants and also the basic facts, and against statutory Mining Law. The ratio of wins to losses was all out of reason and thus against probability to the extreme. One has read all of those decisions to really know how skewed and outrageous and odious the results are. They, to boil it all down, simply set out to <sup>get rid of</sup> ~~get rid of~~ mining Law Rights, by camouflaged perversion of Law via

VII

10. Eventually, after gaining an even view and insight of an even larger, wider, better area of their insidious attacks going in America by shutting down America, I realized it was no less than war! Not at all politics as usual wherein both sides can see what is happening/occurring. Stealth hiding fraud(s) and a secret agenda so as to replace essential American foundations is one correct definition of warfare/war. An extremely unconstitutional war.

The agencies had ~~=~~ maybe still have ~~=~~ still another hostile to freedom and free enterprise be damned tactic that also worked to do in ~~=~~ To cancel ~~=~~ Mining Law that they hate. It is a demand/requirement they hatched up (not Congress) that in order to prove that one's stone is valid and true thus

not common variety it had to sell for a higher price than other similar building stone. But the American way is free enterprise. A BASIC TENET or fundamental essence or component of FREE enterprise is the creation of A BETTER PRODUCT AT A LOWER/BETTER PRICE. That is known as competition with the right to compete.

VIII

By the way, or of great importance, is my eventual observation and finding that those who MANAGE things as a way of life DO NOT PREFER free market activity as the way for getting things done. And also that managing things of an economy and a society usually results in less production, not more, and for sale often at a higher price. ~~Not a better price.~~

We/Rawls live in/by a marketplace known as free enterprise. But becoming less and less so as a result of more and more management / MORE AND MORE management by what is called government. And what better way to do away with free enterprise and thereby America! Because America with its FREEDOM and belief in LIBERTY stands in its way. In the way of excess stands power and its dictatorial domination. People do not do so well when they are dominated via such power!

There is, as in FREE AMERICA, much more activity with and by Liberty and Freedom, and no top-down only POWER DOMINATION. Instead of by open, enlightened, FREE, respectful consent to and from those affected by the law. Of, from for, by the law, and anti-America is what replaces America!!!

I would not have believed it had I, at age 14, been told then as prophecy the horrific ahead.

IX

This observer can appreciate how<sup>er</sup> utterly preposterous<sup>er</sup> what the /my above observations say seem to be. I know because I had a very hard time myself seeing what I did not wish to see.

Substituting THEIR not possible to meet unique standard and demand, as bogus law, very deliberately of course, to replace what the (July 23, 1955) said/says, and wants; later hatching up also their<sup>er</sup> "too much" rule (as defined by the 9<sup>th</sup> U.S. Circuit Court of Appeals and also debunked by it) which they /the Executive Branch invented in the Melton Baker case to circumvent thereby the Congress; use of their own Executive Branch<sup>er</sup> courts<sup>er</sup> (or rather their Star Chambers wherein Juries are NOT ALLOWED To hand out specious & fraud-based rulings; applying the 1955 law retroactively all the way back to location day and by ignoring deliberately the 1892 law of the case for our mining properties

(5) To thereby cancel Rights owned (not by them!!) To thereby rob one/us of one's/our PROPERTY RIGHTS by doing in those rights (not privileges); the creation of their treacherous and sinister theft of one's /my owned (and even with patented RIGHT ESTABLISHED by Section 38),

X

as abandoned and forfeited (and de facto  
stolen also) mining property (since  
1949-'50 Blue Jay property of Rawls) via  
use of bureaucratic paperwork (that  
has no connection to Discovery which is  
what AWARDS OWNERSHIP - not bureaucratic  
paperwork and its sinister penalty) so as  
to rob one of his/her/my lawful,  
owned property that the owner/Rawls  
had not even a thought of abandoning  
ever, as "forfeited" (TAKEN) instead  
of imposing a fine instead as reasonable  
for merely being late in recording  
some yearly paperwork; and other  
also two-faced strategies are not the  
only (above) backstabbing/treacheries by  
the U.S. Forest Service and Interior Department!  
Bruce Babbitt (Secretary of Interior) had the  
Congress suddenly after the fact impose  
his five year (UNENDING) moratorium  
on processing people's / My application  
to have the Secretary send the piece of  
paper/acknowledgement of one's ownership.  
That never-ending (and thus unconstitutional  
because it repeals statutory law) "act"  
or rather moratorium was imposed (11)  
eleven months after I applied for my  
acknowledgement that I own Blue Jay -  
not bureaucrats who covet Blue Jay -  
(They attacked Blue Jay/me, and fled in 1985.).

XI

My application with processing fees also paid in late October, 1993 is still dead in the water / not finished processed in the Department of the Interior even though processing / the process(es) has BEGUN! It is one of NUMEROUS outrages!!!! Unending outrages by some in the U.S.F.S. and Interior Department. The American Way? NO!!

very The U.S.F.S. and Interior forfeit any/all privilege of safeguarding Mining Law by the sad, awful, outrageous fact of their being hostile to Mining Law! As private property. Those hostile to the law are by that fact not fit/qualified/fair-minded/neutral enough to be trustworthy. As facts reveal, they are NOT. (Just before retiring as Secretary of Interior, Secretary Udall categorized the Mining Law as being bad BECAUSE OLD. Thus The Good Lord/God is in trouble because a replacement is in need of ~~a replacement~~ taking over? Because old? And sound logic? No!!!

People like Rawls/myself - 60 years of no opportunity from the POWER SYSTEM to be allowed to be heard fully so JUSTICE CAN BE HAD - once again is being, so far, again denied a/his/my day in court to present my side, my facts, my case (as defense against tyranny being foisted off as government). The U.S.F.S and Interior are now caught in their abuse of power against women.

XII

A "CONCLUSION" ON THIS REQUEST  
What I seek and need (FOR AMERICA ALSO)  
in this decades long matter / slow terrorism  
by requesting a Jury and allowed to present  
my SIDE, my FACTS, my CASE (denied until  
now / withheld so far) in this not brief  
matter / terrorism IS IN ORDER by America,  
that / who REVOLTED against government  
(against power evil) falling short on real  
civility, fair play, and caring sincerely  
about others' / people's Lives and FUTURE.  
Terrorism is thought of being fast and rather  
brief - not 60 years long - but we / Rawls Family  
are victims big time and unnecessarily of slow  
terrorism and its / their unending nasty  
mean-spirited war against America and not  
just Rawls and mining Law only. In America,  
home of Liberty and Freedom, it is not too  
much to ask to let me have my day in court.  
They have had TOO many (unnecessarily),  
I should add. Star Chamber-related type  
court (including no jury allowed courts).  
This is not the right venue for this matter.